

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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CATLIN SPECIALTY INSURANCE  
COMPANY,

Plaintiff,

v.

HC SITE CONSTRUCTION, INC.

Defendant.

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Civil Action No.: 2:20-cv-01741

**STIPULATION TO STAY PROCEEDINGS**

Plaintiff, Catlin Specialty Insurance Company (“Catlin”) and Defendant HC Site Construction, Inc. (“HC Site”) hereby **STIPULATE** and **AGREE** as follows:

1. This action is an insurance coverage dispute arising out of claims asserted against HC Site in an underlying lawsuit captioned *Ronan Teixeira v. Tester Construction Group LLC, et al.*, which is currently pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, October Term 2019, No.: 003411 (the “Underlying Lawsuit”).
2. Due to recent supplemental pleadings in the Underlying Lawsuit, Catlin and HC Site have agreed to stay this action until such time that all claims against HC Site in the Underlying Lawsuit are resolved, including but not limited to by settlement, dismissal, or final judgment.
3. In light of the foregoing, and with the consent of all parties, it is hereby **STIPULATED** and **AGREED** that this action is **STAYED** until such time as all claims against HC Site in the Underlying Lawsuit are resolved, after which any

party to this action may request that the Court lift the stay.

It is also **ORDERED** this case be placed in **SUSPENSE** as follows:

1. All proceedings are stayed until further Order of the Court;
2. The case shall be transferred to the Civil Suspense File;
3. The Clerk of the Court shall mark this case closed for statistical purposes;
4. The Court shall retain jurisdiction over the case and the case shall be returned to the Court's active docket in 365 days or upon further order of the Court;
5. Counsel shall provide a written status report to the Court every six (6) months; and
6. The entry of this Order shall not prejudice the rights of the parties to this litigation.

Respectfully submitted:

**KENNEDYS CMK LLP**

/s/ Thomas J. Seery

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*Attorneys for Plaintiff  
Catlin Specialty Insurance Company*

Date: November 4, 2020

**SMITH MIRABELLA BLAKE**

/s/

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*Attorneys for Defendant  
HC Site Construction, Inc.*

Date: \_\_\_\_\_, 2020

**SO ORDERED:**

**s/ Michael M. Baylson Dated: 11/5/2020**

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Michael M. Baylson, District Judge